IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

LUFKIN DIVISION

KEITH WASHINGTON	§	
VS.	§	CIVIL ACTION NO. 9:17cv91
BRYAN COLLIER, ET AL.	§	

ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Keith Washington, an inmate at the Eastham Unit, proceeding *pro se*, brought the above-styled lawsuit against prison officials. The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends this action be dismissed without prejudice pursuant to plaintiff's request.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

O R D E R

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. Plaintiff's motion to dismiss is **GRANTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.[1]

So **ORDERED** and **SIGNED** this **26** day of **February, 2018.**

Ron Clark, United States District Judge

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[1] Plaintiff subsequently filed documents in this action possibly indicating he wished to proceed with this lawsuit. However, plaintiff later filed a notice to the court in which he indicated he desired to dismiss this action and proceed in civil action no. 9:17cv80, styled *Wells v. Collier*, and civil action no. 6:17cv401, styled *Washington v. Davis*. If plaintiff does not wish to have the above-styled case dismissed, he should notify the court within thirty (30) days and request reinstatement of the case on the court's active docket. Additionally, plaintiff shall pay the $400.00 filing fee or submit a properly certified application to proceed *in forma pauperis* if he desires to proceed with this action.